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10/534,747	05/12/2005	Manfred A.A Lupke	SWH-11817US	9033

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CANADA

EXAMINER
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LEYSON, JOSEPH S

ART UNIT	PAPER NUMBER
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1791

MAIL DATE	DELIVERY MODE
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05/14/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/534,747

Applicant(s)

LUPKE ET AL.

Examiner

JOSEPH LEYSON

Art Unit

1791

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-36 is/are rejected.
- 7) ☒ Claim(s) 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment filed June 25, 2007 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

in paragraph [26.1], "Furthermore, the troughs 13 have a fixed relationship with the vacuum channels 45 shown in the figures." and "With this arrangement, the interchangeable face attachments do not affect the relationship of the vacuum channels to the integral troughs";

in paragraph [26.3], "As the bolt forces the bracket 16 inwardly, the face of 67 and 69 cooperate to bring the crest forming parts shown as 15 into abutment with the crest mounting portion of the mold block. The bracket 35 assures the abutment of the crest forming parts with the crest mounting portions."; and

in replacement drawings, the designation of "45" on elements shown in figures 4 and 5, which designates the elements as vacuum channels.

Applicant is required to cancel the new matter in the reply to this Office Action.

2. The drawings were received on June 25, 2007. These drawings are not acceptable and are objected to because they contain new matter, as mentioned above.

### ***Claim Objections***

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3. Claim 34 is objected to because of the following informalities: in line 6 of claim 34, "great" should be changed to --greater--, for proper idiomatic language. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 30, 31, 35 and 36 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 30 recites that "each bracket cooperating with said recess in the respective crest forming part and the recess in said mold block to abut said crest forming part and said crest mounting portion as said bolt moves said bracket to an engaged position" which is new matter. The original specification does not disclose how the crest forming part and the crest mounting portion operate relative to the bracket and bolt, and does not disclose the bolt moving the bracket to the engaged position.

Claims 31 and 35 and 36 disclose vacuum channels having a fixed relationship with the integral troughs, which is new matter. The original specification (figs. 4 and 5; p. 6, lines 22-30) discloses that figures 4 and 5 show that the mold block sections include sophisticated vacuum and cooling channels required to first shape and then cool

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the plastic at the faces of the mold blocks and that the interchangeability of the face attachments at the mounting surfaces 12 of the mold block sections in no way impedes or affects either the vacuum or the cooling channels. However, after reviewing figures 4 and 5, it is not clear what elements are the vacuum and cooling channels, or how the vacuum and cooling channels operate relative to the other apparatus elements.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 29, 30, 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over German reference (DE 200 09 030) in view of Chittenden et al. (U.S. Patent 3,380,121) and Lupke et al. (U.S. Patent 6,155,813).

German reference (DE 200 09 030) discloses a molding system including a plurality of mold blocks 9 which circulate and move along a molding path to form a mold tunnel (i.e., fig. 1) to form double wall plastic pipe having an outer wall with corrugations which set an outside diameter of the pipe corrugations and an inner wall around a bore through the pipe (i.e., figs. 7 and 8), and the mold blocks 9 having profiled faces which determine shape of the pipe. Each mold block 9 includes a mounting surface (i.e., fig. 2), and the system further includes a plurality of mold block face attachments 18, 19, 21, 23, 25 which interchangeably mount to the mounting surface for reconfiguring of the profiled faces of the mold blocks 9 without replacing the mold blocks 9 (i.e., figs. 2-6). The mold block face attachments are varied to change the depth of the corrugations and to change the internal diameter of the pipe. Note that, in fig. 5, if only the attachments 23 are reconfigured with the attachments 25, the profiled faces would be reconfigured in profile between a first and a second face profile to vary both depth of the corrugations and diameter of the bore through the pipe without varying the external diameter of the pipe, and the profiled faces of the mold blocks 9 when configured with a first face profile 23 forming the pipe with a first corrugation depth and a first bore diameter and when configured with the second face profile 25 forming the pipe with a second corrugation depth greater than the first corrugation depth and a second bore diameter less than the first bore diameter. The inner wall of the pipe has a wall thickness that remains essentially constant when reconfiguring the profiled faces of the mold blocks between the first and second face profiles (i.e., figs. 7 and 8). The profiled faces of said mold blocks include alternating crests and troughs (i.e., figs. 3-6) to form

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the corrugations in the outer wall of the pipe. The attachments include first and second crest forming members 23, 25 for changing the height of the crests and trough forming members 18, 21 for changing the depth of the troughs (i.e., figs. 5 and 6), the first crest forming members 23 being shorter than the second crest forming members 25 and being used to provide the first face profile on the mold blocks, the second crest forming members 25 being longer than the first crest forming members 23 and being used to provide the second face profile on the mold blocks 9. The crest forming members 23, 25 are mounted in crest mounting portions formed in and integral with the mold blocks 9 (i.e., figs. 5 and 6). The crest mounting portions include a projecting stepped shoulder (i.e., the projecting shoulders to either side of slot 13 in figs. 5 and 6) received in a corresponding recess (i.e., the recesses to either side of undercut base 22) of the crest forming parts 23, 25 to locate the crest forming parts 23, 25 in the mold block 9 along a length of the crest forming parts 23, 25 (i.e., figs. 5 and 6). The crest forming parts 23, 25 are radially separable from the crest mounting portions by radially sliding relative to each other (i.e., figs. 5 and 6). However, German reference (DE 200 09 030) does not disclose the troughs being formed in and integral with the mold block, recesses, mounting bracket arrangements, or first and second cooling plugs, as disclosed by the instant claims.

Chittenden et al. (U.S. Patent 3,380,121) disclose a mold block 10 and a face attachment 16, 18, the face attachment at opposite ends thereof including a recess that cooperates with a recess of said mold block to collectively define securement cavities in abutment faces of the mold block (i.e., figs. 2 and 4), the face attachment being secured

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to the mold block by two mounting bracket arrangements 22, 23 located at opposite ends of the face attachment in said securement cavities; the face attachment, with the respective mounting bracket arrangements in a non engaged position, allowing dismounting of the face attachment by radial separation. Note that the portions of the bracket arrangements 22, 23 which respectively are received in the recesses of the mold block and the face attachment define arm portions.

Lupke et al. (U.S. Patent 6,155,813) disclose an apparatus system for making double walled plastic pipe including a cooling plug 27 for cooling the pipe, the cooling plug 27 is dimensioned relative to the mold tunnel to urge the inner wall 22 of the pipe against the outer wall 18 while in a mold tunnel and to define the inner diameter of the double walled plastic pipe (i.e., col. 1, lines 25-50; and col. 3, lines 5-18).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the interchangeable trough forming members of German reference (DE 200 09 030) to be formed in and integral with the mold blocks because it would be well within an artisan of ordinary skill to make a one piece construction instead of a separable structure, In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965); to modify the apparatus of German reference (DE 200 09 030) with recesses and mounting bracket arrangements, as disclosed by Chittenden et al. (U.S. Patent 3,380,121), because such a modification would enable secure abutting attachment of the face attachments to the mold block; and to modify the molding system of German reference (DE 200 09 030) with a cooling plug because such a modification would cool the pipe and urge the inner wall of the pipe into the outer wall of the pipe while in the



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mold tunnel , as disclosed by Lupke et al. (U.S. Patent 6,155,813), and to further modify the apparatus system of German reference (DE 200 09 030) with first and second cooling plugs of different diameter because German reference (DE 200 09 030) discloses changing the mold tunnel dimensions with the attachments and because Lupke et al. (U.S. Patent 6,155,813) disclose that cooling plugs are dimensioned relative to the mold tunnel. In other words, if the mold tunnel dimensions are changed, then the cooling plug would be correspondingly changed since its dimensions are dependent upon the mold tunnel dimensions as disclosed by Lupke et al. (U.S. Patent 6,155,813). Note that the different internal diameters of the pipes in figures 7 and 8 of German reference (DE 200 09 030) would require cooling plugs of corresponding different diameter, as taught by Lupke et al. (U.S. Patent 6,155,813).

9. Claims 31, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over German reference (DE 200 09 030) in view of Chittenden et al. (U.S. Patent 3,380,121) and Lupke et al. (U.S. Patent 6,155,813) as applied to claims 29, 30 and 32-34 above, and further in view of Hegler et al. (U.S. Patent 4,492,551).

Hegler et al. (U.S. Patent 4,492,551) disclose a molding system including a plurality of mold-blocks 2, 2' which move along a molding path to form corrugated plastic pipe, each mold block 2, 2' having a profiled face which determines shape, of the pipe, the profiled face including troughs and crests (i.e., figs. 4 and 5) formed in and integral with the mold blocks 2, 2', a vacuum channel 28, 28' located within the mold blocks 2, 2' beneath the troughs and the crests of the profiled faces of the mold blocks in fixed relationship thereto, vacuum channels 28, 28' being connected to the troughs by

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vacuum slots 29, and cooling channels 33, 33', 35, 35' located within the mold blocks beneath the troughs and the crests.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to further modify the molding system of Hegler et al. (U.S. Patent 4,492,551) with vacuum channels as disclosed by Hegler et al. (U.S. Patent 4,492,551) because such a modification would enable vacuum forming of the pipe.

### ***Response to Arguments***

10. Applicant's arguments with respect to the instant claims have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that it is clear from the drawings and the specification that the troughs are integral with the mold blocks, that it is stated that the vacuum channels were provided in the mold blocks, that the disclosure of the application page 6 lines 28 to 31 states "The interchangeability of the face attachments at the mounting surfaces 12 of the mold block sections in no way impedes or affects either the vacuum or the cooling channels.", that page 6 lines 23 through 28 clarify that "the mold block sections include sophisticated vacuum and cooling channels required to first shape and then cool the plastic at the faces of the mold blocks.", that it is clear from the above passages as well as the drawings that the crest forming parts that are separable from the mold blocks in no way affect the vacuum or cooling channels provided in the mold block sections, that the vacuum channels and the troughs are formed in the mold blocks as shown in the drawings, that the relative position of these components is therefore fixed. The examiner agrees.

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Applicants argue that the mold blocks are cast and machined blocks with the various channels provided therein. The examiner respectfully disagrees. The original specification does not disclose any casting or machining of the mold blocks.

Applicant argues that the specification and drawings as originally submitted provide support for these amendments (to paragraph 26.1), particularly in that the specification acknowledges that vacuum and cooling channels are commonly used in these systems, that an example of such vacuum channels is shown in Applicant's earlier United States patent 6,089,851, as well as some of the references currently cited by the Examiner, that vacuum channels provided in the mold block and connected to vacuum slits provided in troughs of integral mold blocks is well known, and that it is therefore respectfully submitted that the portions of paragraph 26.1 objected to by the Examiner as directed to new matter are indeed supported by the application as originally filed. The examiner respectfully disagrees. The portions of paragraph 26.1 objected to by the examiner and the changes to figs. 4 and 5, all in the response filed on June 25, 2007, add new matter because the original specification did NOT disclose elements 45 in figs. 4 and 5 being vacuum channels. Note that defining element 45 as vacuum channels establishes a positional relationship with the integral troughs which is new matter. The original specification (p. 6, lines 23-31) discloses that vacuum and cooling channels are shown in figs. 4 and 5, but does NOT disclose which elements, in particular, are the vacuum and cooling channels. For example, if the other channels in figs. 4 and 5, were labeled vacuum channels, the positional relationship of the vacuum channels with the integral troughs would be different. Prior art citations or what is known in the prior art

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does NOT provide original disclosure or evidence of what elements in figs. 4 and 5 are specifically vacuum channels.

Applicant argues that with respect to paragraph 26.3, the Examiner raises objections with respect to the description of the bracket 16 having the particular faces clearly shown in the sectional view of Figure 6, that it is also clear that tightening of the bolt 41 will clearly cause a camming action due to engagement of faces 67 and 69 and draw the crest forming parts into engagement with the mold blocks, that the portion objected to by the Examiner is clearly shown in the drawings and it would be apparent to a person skilled in the art that tightening of bolt 41 will cause the drawing of the face attachment to the mold block. The examiner respectfully disagrees. The original specification (p. 6, line 33, to p. 7, line 13) discloses means for replaceably mounting the face attachments to the mold block sections including a bracket and a bolt. However, the original specification, including fig. 6, does NOT clearly disclose that tightening of the bolt 41 will clearly cause a camming action due to engagement of faces 67 and 69 and draw the crest forming parts into engagement with the mold blocks; and does NOT disclose that, as the bolt forces the bracket inwardly, the face of 67 and 69 cooperate to bring the crest forming parts shown as 15 into abutment with the crest mounting portions of the mold block.

Applicants argue that, regarding the designation of 45 as a vacuum channel, the disclosure clearly says that vacuum and cooling channels are provided in the mold block; that the drawing clearly shows large port channels and these are closely associated with the troughs; that to merely identify these as vacuum channels does not

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add subject matter to the application; that this position is further reinforced by the fact that vacuum and cooling channels are known with respect to integral mold blocks and vacuum channels commonly connect to vacuum slits provided in the troughs; that, given that the applicant has merely provided identification elements to the structure shown in the drawings as originally filed, it is believed a person skilled in the art would acknowledge that no new matter has been entered; and that the labeling of the structure previously shown cannot be considered to be new matter. The examiner respectfully disagrees. There is NO original disclosure of which channels shown are vacuum channels and which channels shown are cooling channels. Does it matter which channels are labeled vacuum and which are labeled cooling? As understood by the examiner, YES. As mentioned above, the different channels have different positional relationships to the integral troughs (as well as other shown elements). Thus, to merely label any channel a vacuum channel would provide positional relationships between the vacuum channel and the other elements which were NOT originally disclosed. Furthermore, the channels shown in figures 4 and 5 have different structure. Thus, to merely label any channel a vacuum channel would provide the vacuum channel with a particular channel structure which was NOT originally disclosed.

Applicant argues that claim 30 does not contain new matter; that, in particular, the Examiner states that each bracket cooperating with the recess in the respective crest forming part and the recess in the mold block to abut the crest forming part and said crest mounting portion as the bolt moves said bracket to an engaged position is considered new matter; and that given the cross-sectional view of Figure 6, it is clear

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that the structure would operate in this manner and it is further clear that it would operate in this manner given the large slot provided in the mounting bracket. The examiner respectfully disagrees. The original disclosure does NOT disclose that the bolt moves the bracket to an engaged position.

Applicant argues that if it was desired for the bracket to precisely locate the crest forming parts, there would be a single port for receiving of the bolt precisely sized to locate the crest forming part by a predetermined relationship with a bracket. However, this argument is a conclusory statement with no factual basis.

Applicants argue that DE 200 09 030 does not disclose radial separation of the crest forming parts. The examiner respectfully disagrees. The crest forming parts 23, 25 are radially separable from the crest mounting portions by radially sliding relative to each other (i.e., figs. 5 and 6).

In response to applicant's argument that Chittenden et al. (U.S. Patent 3,380,121) is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Chittenden et al. is reasonably pertinent to the particular problem with which the applicant was concerned, namely the problem of securing face attachments to a mold block. Chittenden et al. teach bracket arrangements to solve the problem, as mentioned above.

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In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Applicants argue that Chittenden et al. (U.S. Patent 3,380,121) discloses replacing the entire interior surface of the mold cavity, not just a portion, and thus is a hindsight combination. The examiner disagrees. The examiner does not use Chittenden et al. to teach replacing the entire interior surface because DE 200 09 030 already teaches replacing crest forming inserts (i.e., only portions of the mold cavity).

Applicants argue that United States Patent 3,380,121 is also cited in that it includes securing flanges that extend outwardly from the insert mold and can be dropped into the mold cavity; that the Examiner then states that this arrangement could be combined with the primary German reference; that this position is respectfully traversed; that, if one was to use this type of securing flange with the dovetail arrangement of the German reference for holding of a crest forming part in the mold block, it would not be possible to either insert or remove the crest forming part of the mold block; that the outwardly extending flanges would prevent insertion of the crest forming part in the mold block as the flange would effectively block the dovetail cavity; that, if one was to delete the dovetail cavity in direct contradiction to the cited reference,

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the claimed combination would not have the inter-engagement of the crest forming part and the shoulder recess inter-engagement of the crest forming part as required in the present claims; and that it is therefore submitted that the primary reference (DE 200 09 030) and the secondary reference (US 3,380,121) are incompatible. The examiner respectfully disagrees. In DE 200 09 030, the crest forming parts 23, 25 are radially separable from the crest mounting portions by radially sliding relative to each other (i.e., figs. 5 and 6). However, DE 200 09 030 does not disclose bracket arrangements for securely mounting the crest forming parts to the crest mounting portion to prevent movement therebetween (i.e., radially sliding or any movement play of the dovetail arrangement). US 3,380,121 (i.e., figs. 1-4) discloses bracket arrangements which securely mount face attachments to a mold block, as mentioned above, wherein there is no movement therebetween. Clearly, there is motivation to combine these references because the bracket arrangements of US 3,380,121 would provide a more secure mounting means than the dovetail of DE 200 09 030 alone. Once the crest forming parts are slide along the dovetail into place, the bracket arrangements can then be used.

Applicant argues that applying In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965) to DE 200 09 030 would mean that either the whole mold block is a one piece construction or is separable. The examiner respectfully disagrees. This case law merely states that making integral that which was separable is well within an artisan of ordinary skill. The case law does not state a rigid rule wherein either the whole apparatus is integral or is separable. Thus, Larson would apply to combinations in



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between such extremes, i.e., making portions of an apparatus integral which were before separable.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH LEYSON whose telephone number is (571)272-5061. The examiner can normally be reached on M-F 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gupta Yogendra can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert B. Davis/  
Primary Examiner, Art Unit 1791  
5/12/08

/J. L./  
Examiner, Art Unit 1791